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10 SUSTAINABLE MODULAR MANAGEMENT, INC.

11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA**

13 UNITED STATES OF AMERICA for the use) Case No.: 2:21-cv-00904-MCE-CKD
14 and benefit of SUSTAINABLE MODULAR)
15 MANAGEMENT, INC., a Texas corporation,)
16 Plaintiff,)
17 v.)
18 ARCH INSURANCE COMPANY,) Action Filed: May 19, 2021
19 Defendant.)
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20 After having considered the Agreed Motion to Dismiss filed by Plaintiff, Sustainable
21 Modular Management, Inc. ("Plaintiff"), and Defendant Arch Insurance Company.
22 ("Defendant"), in the above-referenced case, the Court finds that the motion should be
23 granted.

24 Therefore, the Court ORDERS that all claims and causes of action that were brought
25 or could have been brought by and between Plaintiff and Defendant against each other be,
26 and are hereby, dismissed with prejudice, except for those claims concerning the request for
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1 an equitable adjustment (the "REA Claims") from the government that is currently being
2 appealed from the ASBCA's decision, which REA Claims are dismissed without prejudice.
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4 The Clerk of the Court is directed to close this case.
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6 IT IS SO ORDERED.
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8 Dated: May 3, 2024
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10 MORRISON C. ENGLAND, JR.
11 SENIOR UNITED STATES DISTRICT JUDGE
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